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Attorneys for Plaintiffs STEVEN A. HYER, Individually and as Personal Representative of THE ESTATE OF STEVEN K. HYER, and CASSI H. HYER

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

STEVEN A. HYER, Individually and as Personal Representative of THE ESTATE OF STEVEN K. HYER, CASSI H. HYER, and THERESA L. CHANG,

Plaintiffs,

v.

CITY AND COUNTY OF HONOLULU, PAUL V. NOBRIGA, in his individual capacity, WAYNE SILVA, in his individual capacity, and MALO B. TORRES, in his individual capacity,

Defendants.

CIV. NO. 19-00586 HG-RT

STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE OF PLAINTIFF CASSI H. HYER AND TO AMEND CAPTION; ORDER

Trial Judge: Helen Gillmor

Trial Date: (Administratively Closed)

STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE OF PLAINTIFF CASSI H. HYER AND TO AMEND CAPTION

IT IS HEREBY STIPULATED by and between the parties herein, through their respective counsel, that Plaintiff Cassi Hyer and any and all of her claims against the above-named Defendants are hereby dismissed with prejudice. All claims of Plaintiff Theresa L. Chang were dismissed by the Court's Order Granting Defendants' Motion for Summary Judgment on February 3, 2023 [ECF 178] and the Clerk's Judgment of the Decision by Court on February 3, 2023 [ECF 179]. Plaintiff Chang was not a party to the Notice of Appeal filed by Plaintiff Steven A. Hyer, Individually and as Personal Representative of The Estate Of Steven K. Hyer, on March 3, 2023 [ECF 181]. Each party shall bear its own costs and attorney's fees. All parties who have appeared and remain in this action have signed this stipulation. All other claims, parties or issues remain in this action.

IT IS FURTHER HEREBY STIPULATED that the caption of the above-entitled case be amended to "STEVEN A. HYER, Individually and as Personal Representative of THE ESTATE OF STEVEN K. HYER v. CITY AND COUNTY OF HONOLULU, PAUL V. NOBRIGA, in his individual capacity, WAYNE SILVA, in his individual capacity, and MALO B. TORRES, in his individual capacity."

DATED: Honolulu, Hawaii, December 19, 2024.

/s/ Peter C. Hsieh
PETER C. HSIEH
GEORGE A. BURKE

Attorneys for Plaintiffs STEVEN A. HYER, Individually and as Personal Representative of THE ESTATE OF STEVEN K. HYER, and CASSI H. HYER

DATED: Honolulu, Hawaii, December 19, 2024.

DANA M.O. VIOLA Corporation Counsel

By <u>/s/ William R.K. Awong</u>
PAUL S. AOKI
WILLIAM R.K. AWONG

Attorneys for Defendants CITY AND COUNTY OF HONOLULU, PAUL V. NOBRIGA, WAYNE SILVA, and MALO B. TORRES

DATED: Honolulu, Hawaii, January 6, 2025. APPROVED AND SO ORDERED:

ALL OF THE PARTY O

Nelen Gillmor

United States District Judge

Steven A. Hyer, et al. v. City and County of Honolulu, et al.; Civ. No. 19-00586 HG-RT; STIPULATION FOR PARTIAL DISMISSAL WITH PREJUDICE OF PLAINTIFF CASSI H. HYER AND TO AMEND CAPTION; ORDER